

# DEADLOCK ENDS IN HARRIMAN'S MERGER INQUIRY

Report of Recent Investigation Will Be Given to Public Shortly.

The deadlock which for two or three months has held up the proceedings in the Harriman merger inquiry seems likely to come to an end.

Attorney Frank B. Kellogg, who has been steadfastly refusing to revise his legal conclusions in order to accommodate the convenience of the commission and the exigencies of the Administration's view of expediency as involved in this matter, has been placated somehow, and a report is going to be made and given to the public very shortly.

Mr. Kellogg some two months ago prepared a summary of a proposed report of the commission in this Harriman investigation, and in it set forth his definite opinion that on four counts the Harriman outfit had been shown a violator of the Sherman law, and on another it was probably guilty.

## Prosecution Was Looked For.

This proposed report got into print, and the country thereby came to understand that it was certain that the Harriman combination would be prosecuted and effectually smashed. There was great acclaim and widespread satisfaction that the wizard of railroad finance manipulation was at last to be brought to book. Mr. Kellogg's legal conclusions were widely indorsed and approved, and the trust-busting department of the Administration came in for great praise.

It was heralded as one of the greatest achievements of a strenuous and purposeful Administration. Everybody assumed that the Administration was definitely committed to the policy of smashing Harriman at any cost. Its high-priced lawyer and looked into the evidence and reported positively that it could be done. What could longer prevent?

But right here came a change of front. The Interstate Commission repudiated the Kellogg report; that is, it explained that the report was not the commission's, but merely Mr. Kellogg's, and that the commission might, on examination, decide not to agree with his conclusions. It was, moreover, made very direct that some, at least, of the commission did not accept all of the Kellogg conclusions.

## Point of Disagreement.

Especially was there disagreement as to the conclusion of Mr. Kellogg, that the control of the Southern Pacific by the Union Pacific in the merger of parallel lines within the purview of the Sherman act, and, therefore, can be dissolved. On this point Mr. Kellogg was very positive.

The Harriman lawyers appeared in an effort to show that the Southern was only a connection and not a competitor of the Union Pacific, and Mr. Kellogg made a powerful answer, and an assault on this theory, which was at least convincing to most of his audience of laymen. But, apparently, not all of the commissioners were won over to the opinion that prosecution was justified.

Then came the famous White House conference, at which an effort was made to thresh out these differences and reach an agreement on the text of a report. The President, the commission, Mr. Kellogg, and members of the Cabinet sat up late discussing the matter, and then the commission went back to work on its task of getting up a report that would satisfy everybody. Commissioner Lane was some time ago given the task of writing up a final report for the commission in this matter. He took the big mass of testimony, the report prepared by Mr. Kellogg, and all the other matter bearing on the case, and set about to make a report on which all parties should be able to agree, which should satisfy the country that there had been no back-down from the vigorous demands of the first Kellogg report.

## Mr. Lane's Position Difficult.

It was a task for a diplomat of all Mr. Lane's accomplishments, and there is still uncertainty how he is coming out. If the decision is against prosecution, the public will rise up and demand to know what's the use of hiring a fancy lawyer like Kellogg, if his recommendations are to be calmly set aside. There will, of course, be the charge that the commission and the Department of Justice, after a good deal of noise and bluster, didn't have the nerve to tackle Harriman; and altogether it will be a most embarrassing matter to explain.

It is pretty definitely understood that when Mr. Kellogg went to Oyster Bay yesterday he had either an outline of

the report which is proposed, or else was prepared generally to go over with the President. The report is expected to be made public in a few days. What the report will contain is believed to be pretty accurately conjecturable from recent circumstances. Mr. Kellogg told the commission the Harriman combination was violating the Sherman law in four respects:

## The Four Violations Alleged.

1. In the control of Southern Pacific by Union Pacific.
2. In the joint control of Alton by Union Pacific and Rock Island.
3. In the joint control of the Pacific Northwest by the Santa Fe and the Union Pacific.
4. In the Oregon Short Line-Santa Fe contract.

So it appears that there is a possible basis of agreement on a program which involves no prosecution, yet which will leave the investigators able to point with pride to the results—to vicious contracts nullified and law violations exposed—as a result of their inquiries. And something like this is expected to be the forthcoming report. Prosecution is considered altogether unlikely.

## FINE FOR DRUGGIST WHO SOLD TO SUICIDE

"A druggist cannot sell pure laudanum as a medicine without having first received a prescription from a physician. "Laudanum to be used as a liniment must be prepared."

"This was the decision of Judge Kimball, in the Police Court, this morning, in answer to the defense offered by Leon M. Walters, a druggist, when the latter attempted to claim that laudanum, if marked properly, could be sold without a prescription.

Walters was haled into court on the charge of having violated the pharmacy law. Walters was fined \$5.

## VITAL RECORDS

### Births.

White—John and Anna Smith, boy. Samuel and Charlotte Severn, boy. John and Jane Smith, boy. Walter A. and Katie Rittie, girl. John and Hattie Jones, boy. Francesco and Maria Passari, girl. James E. and Emma G. Parnelle, boy. Charles H. and Elsie M. Level, girl. Clyde D. and Ruth R. Moyer, boy. Luther and Florence Lloyd, boy. Clarence E. and Caroline K. LaDow, girl.

### Marriage Licenses.

Charles M. Stump, of Monroe, Va., and Julia C. Alexander, of Alexandria, Va. George W. Ralston and Nina M. Baker. Leon M. Walters, of Providence, R. I., and Edna B. Kingman. David D. Kelly and Mary F. Reynolds. Joseph M. Harris and Maggie Hill. Miriam Kaysakjian, of New York city, and Anna Politz. John Spriggs and Mattie Saunders. Richard Washington and Lula Butler. William Z. Clark and Rachel V. Dyer, of Wheeling, W. Va. Joseph T. Moore and Louis Schneider. James R. George and Ellen A. Carroll, of Barnabrook, Pa. John Craig and Mary Buchanan, both of Anacostia, D. C. Julian D. Green and Effie B. Poland. John E. Barbee and Martha A. Poore.

### Deaths.

White—John Cannon, 67 years, Third and H streets northeast. Charles Poeper, 35 years, 451 H street northwest. William B. Noer, 72 years, 2143 K street northwest. Benjamin Brown, 75 years, 35 Second place northwest. Eleanor K. Kroeger, 1 year, 1632 Third street northwest. Elizabeth C. Heald, 64 years, 1020 F street northeast. William Ralph, 56 years, George Washington University Hospital. Dorothy R. Mackin, 10 months, 1726 Twelfth street northeast. Joseph T. Moore, 3 months, 1829 Sixth street northwest. Harry S. Chaconas, 4 months, 809 H street northeast. Baley Wessberg, 8 days, 70 O street northeast.

### Died.

ADT—Departed this life on Wednesday, July 10, 1907, at 5:15 a. m., at his residence, 125 Kentucky avenue southeast, H. L. EXIS. ADT, beloved husband of Sophia ADT. (New York and Baltimore papers please copy.)

BECKWITH—On Wednesday, July 10, 1907, at 4 a. m., at his residence, 284 Quince street northwest, ZACHARIAH BECKWITH, fifty-five years of age. Funeral from residence, Friday, July 12, 1907, at 10:30 o'clock.

RORDAN—On Wednesday, July 10, 1907, at 2:30 a. m., at his residence, 1015 North street northwest, EDWARD J. RORDAN, beloved husband of Mary A., and oldest son of Ella O. Rordan. Funeral notice hereafter.

### UNDERTAKERS.

YOAKLEY & JENKINS, 903 H St. N. W., Main 4864.

J. WILLIAM LEE, UNDERTAKER AND LIVERY, 332 Pa. Ave. N. W., Washington, D. C. Telephone Main 1555.

### FUNERAL DESIGNS.

FUNERAL DESIGNS of every description—moderately priced.

### GUDE,

1214 F St. Northwest. Phone M. 4279.

# HELD AS HOMICIDE, LATER RELEASED

Edward E. Lynn, a young laborer, was locked up at the Sixth precinct police station at 12:30 o'clock this morning on suspicion of manslaughter. Eight hours later he was released, the police realizing the absurdity of the charge preferred against the young man.

Lynn was placed under arrest by Special Policeman Jiles, who found him asleep on the roof of a coach of a Southern train. Questioned by the officer, Lynn told a story about the disappearance of his companion, Gus Robinson, who started with him from Culpeper on the roof of the coach. Miles took him to the police headquarters, where he said he was seventeen years old and that his home was in Alexandria, Va. Lynn said that he and three other boys living in Alexandria went to Culpeper Saturday to attend the horse show. Monday afternoon the quartet discovered their funds giving out, and that night they slept on the benches in the railway station.

Last evening he and Robinson climbed on top of a train bound for Washington. Lynn did not wake in this city. Robinson was missing, but it is thought he got off when the train passed through Alexandria.

## HIVE 1, LADY MACCABEES, HOLD OUTING TOMORROW

National Hive, No. 1, Ladies of the Maccabees of the World, will have their outing at Luna Park tomorrow. The ladies have prepared the following special program: Drill by thirty young ladies on the hippodrome stage at 9 p. m. In the afternoon, peanut race, girls 10 to 15; potato race, girls 6 to 10; sack race, boys 10 to 15; running race, boys 10 to 15; ladies' race, Maccabees only, 50-yard dash.

# NAVAL ACADEMY CONDITIONS BAD, BOARD REPORTS

(Continued from First Page.)

pare with the development of the navy. More practical knowledge was needed, he held. The board consists of Capt. Richard Wainwright, member of the General Board and Army and Navy Joint Board, recently assigned to command the battleship Louisiana; Commander Robert S. Griffin, of the Bureau of Steam Engineering; and Lieut. Commander Albert E. Key, naval aide to the President, and on special duty in connection with the General Board. The board was at the Academy during commencement week and made a trip there later.

Consolidation of Departments. In consolidating the departments, the board recommends that the mechanical department be combined with modern languages under the direction of a sea-going officer. Commander Beach will be in charge of this department, and Prof. Reason will retire, if these recommendations are adopted. Prof. Brown, professor of mathematics, will remain to revise the text-books. The modern language course will be extended to four years instead of two, as at present.

In the department of physics the board recommends that electricity be made paramount, with a requirement that it shall be in charge of a sea-going officer, which will involve the retirement of Prof. Taylor.

## Conditions Materially Changed.

In the course of its report, the board says that conditions at the Academy have materially changed in the last few years, due to the lack of sea-going officers and their short detail as instructors, to the large increase in the number of midshipmen, and to the fact

that many of them were graduated without having had the benefit of a four years' course.

"During the last year, only three heads of departments were sea-going officers," continues the report, "and the absence of such officers from the faculty must gradually tend to a loss of that close connection with the service that has always been the strong point of the Academy. Permanent heads of the service requirements which is indispensable to efficiency, and there results a general tendency to conservatism."

## New Officials Concur.

It is recommended that, so far as practicable, the tour of duty of officers detailed as instructors be made three years instead of two, and that only one-third of them be relieved each year. The report, before being filed with the department, was submitted to Capt. C. J. Badger, the new superintendent of the Academy, and Commander Benson, the new commandant of cadets, both of whom will assume their duties next week. It is understood that they concurred in most of the recommendations, and they are now carefully selecting a number of officers for details in the Academy.

## M. STEIN, THE TAILOR, LEASES NEW PROPERTY

M. Stein, the well-known tailor, at 810 F street, has just secured a lease on the store at 808 F street, and after extensive remodeling, will occupy both stores. Mr. Stein's business has greatly increased during the past few years, and it was necessary to have more room. The building start operations today. With this new addition, extra floor, and window space, Mr. Stein will have one of the finest and best equipped establishments in the city. A remodeling sale is in progress this week, and special values are being offered in fine summer suitings.

# HEAVILY FINED; SHORTAGE FOUND IN BERRY BOXES

(Continued from First Page.)

Mr. Carrington, who represented the defendant, announced that Rice, as the active partner of the firm, would stand trial alone, and John Carter, who was charged jointly with him, was immediately released.

In defense Mr. Carrington claimed that his client had been duped by the wholesale dealer and that he (Rice) knew no more of the deception than did the customers. "It is the duty of the retail dealer to sell to his customer what he claims to sell, both in quality and quantity," said Judge Kimball, in summing up the case. "The law holds the man who deals with him accordingly."

## Must Know What He Sells.

"I must hold the defendant responsible. He should know what he sells to the customer. It is his duty to see what he is selling, and I can scarcely believe that a man of his experience could be duped in such a manner as this."

The defendant was fined \$100 for selling short weight and \$50 for failing to comply with the standard measure.

Rice stated on the stand that he had sold the berries exactly as he received them from the wholesaler. The fine was paid.

## Week-End Rates.

Saturdays and Sundays. Good returning Monday.

Bluemont	\$2.00
Purcellville	\$1.75
Paeonian Springs	\$1.60
Leesburg	\$1.45
Ashburn	\$1.30
Herrnston	\$1.15

Similar rates from Washington and Alexandria to many other nearby places in Virginia on Southern Railway.

# Special Notices.

DR. JAMES STUART has removed his office and residence from 937 R st. n.w., to 1215 12TH ST. N.W. J19-34

ICE TBA. The regular household summer drink. Colonial Gunpowder is unsurpassed. 4-pound package FREE with every 15c purchase. Large cakes of Laundry Soap for 25c. Call at our store and investigate our 100% purest Ice. J. A. JENNINGS, COLONIAL SUPPLY CO., J. A. JENNINGS, 314 Pa. Ave. S. E. J19-1

Leave the Roof to Cotherth. It's a practical and reliable timer. Puts roofs in thorough repair at small cost. Practical Timer, 214 14th st. n.w. Store Expert. Phone M. 212

We Rebind Books. Have the old books, magazines, or periodicals rebound. We'll keep the books till fall if you wish. Hodge's Big Bookbinding, 439-22 11th, next Star

DR. O. O. FIBERON, Dentist. Office hours: Daily 8:30 A. M. to 6 P. M. Sundays 10 to 12. Phone Main 4144-F

AGENCY in Colorado Building requiring services of an attorney will furnish room and form connection with reliable attorney. Address BOX 2, Times Office. J19-21

SATURDAY HALF HOLIDAY.—During July and August the offices and yards of THE ALLEGHENY COAL CO. will be closed at noon on Saturdays. J19-31

W. S. TAPPAN, Jeweler, Watchmaker, Optician. Now located in the Quay Building, 903 G st. n.w., opposite Patent Office. All work guaranteed. J19-34

WE ADDRESS ENVELOPES 123 per thousand. G. H. Damon Young, 319 Munsey Bldg. Phone 2231 Main. J19-33

White Lead ..... 74c lb. Red Lead ..... 80c lb. Baled Oil ..... 80c lb. Lead ..... 1.15 lb. Metallic ..... 1.15 lb. WALKER'S, 1117 Third St. S. E. Phone 8 1153. Formerly at 204 19th St.

Lucas Tinted Glass Paints, \$5.00 Gallon. The Red Label—the very best grade—all colors. Special for the next thirty days, \$1.69 gallon. R. M. Brown, 7th and N st. a.p.11-30

Carpet Cleaning. Drop postal and wagon will call. THOMAS F. KELLY, 712 11th St. n.w. J19-31

KIM L. O. YUEN CO., Imported Chinese Fire Crackers. China Wares, etc. Wholesale and retail at lowest prices. 325 Pennsylvania Ave. N. W. J19-307

Arlington Lead Pencils 38c Dozen. Like finding 15c. Best lead, with rubber ends. Get a dozen.

R. P. Andrews Paper Co., Inc. The Paper House with the Yellow Front. 627-629 Louisiana Avenue. Close at 5 p. m. daily. Saturdays at 1.

Washington Hotels. THE FREDONIA, 121-123 H St. N. W. A First-Class Family Hotel. American Plan, \$3 up; European Plan, \$1 up.

Schools and Colleges. The Berlitz School of Languages. 501 14th St. N. W. Trial Lessons Free. French, German, Spanish, etc. Native teachers.

Spiritualism. IF YOU WISH advice and information on any subject, consult Mr. E. Miller and get a psychic reading or independent state writing. You can get a private sitting at any time. 912 Eye st. n.w. J19-34

Mail or Phone Orders Given Prompt Attention. Sensational Novelty Flaming Pocket Lighter. Independent to smokers. The most perfect and convenient lighter ever produced. Guaranteed for six months. 50 CENTS EACH. YOUNG'S ELECTRICAL STORE. 717 9th St. N. W. Phone Main 7098.

SUMMER PRICES. You want this done as good as any. A DENTIST can do it. We will forgoit \$1.00. to any charitable institution for any denture who can surpass in this line of work, or that we do not do as we advertise. 22-KT. GOLD CROWNS.....\$3.00 BRIDGEWORK.....\$5.00 50 PILES.....\$1.00 AMALGAM CEMENT FILLINGS, 5c. Hours 8 to 12 Sunday 10 to 1. Gas administered. RED CROSS DENTAL OFFICE, 1229 Penna. Ave. N. W.

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Let him fit your eyes with proper glasses suitable for them. Solid gold spring eyeglasses with finest lens, including examination. \$1. CALLISHER, 917 Pa. Ave. N. W.

Always the Same. Sharp's Pure Berkeley Rye. 812 F Street N. W. Phone Main 1141. Special Private Delivery.

# 50c Sleeve Supporters, 25c

Reduced for one day to exactly half their value. Made of satin ribbon over finest elastic, trimmed with large ribbon bows. All colors, 25c.

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400-404 Seventh Street-Southeast U.S. MARKET PLACE

# Sale of Diaper Cloth

We relieved a leading wholesaler of his surplus stock of the well-known "White Lily" bird's-eye diaper cloth. This is an extra heavy quality, sanitary and absorbent, and comes in sealed packages of ten yards.

18-inch Kind; 20-inch Kind; 22-inch Kind; 24-inch Kind; worth 70c, piece, worth 80c, piece, worth 90c, piece, worth \$1, piece.

59c 69c 79c 89c

\$1.00 Mercerized Gloria Umbrellas, with strong paragon frames. Styles in both men's and women's. Dozens of novelty handles.

Lot of 7x90 Full-Bleached Sheets of high-grade cotton; finished with 2-inch hem. 50c.

60c Ready-Made Sheets of best quality unbleached cotton; from 32 inches wide. 39c.

13c Imported White Swiss, with beautiful lace stripes. Makes the daintiest waists or dresses. 92c.

Splendid grade of Black French Batiste, with high silk finish. Always sold at 25c. Special. 14c.

25c "Humpty-Dumpty" 15c

Hose for Boys and Girls

The greatest Hosiery value we have offered this season. The "Humpty-Dumpty" stockings are lightweight and fine ribbed, with double knees, heels, and toes. Comic post card free with each pair.

25c value, 15c.

Purchase of slightly imperfect qualities of Women's Silk Lisle Lace Hose, that are splendid values at 25c. Special. 17c.

Men's \$1.00 Negligee 39c

Shirts

Made of high-grade Madras, with all the careful workmanship that goes with the best shirts. Each shirt is cut full and comfortable, and fits perfectly. Plain white, blue, gray, and tan, in all sizes, 39c.

Lot of Men's Plain Black or Tan Summer Half Hose, fast, light, and strong, and strongly spliced at heels and toes. 12 1/2c value. 7 1/2c.

Men's 30c Balbriggan Underwear; shirts made with long or short sleeves; drawers with large bicycle seat. Special. 25c.

\$1.25 Long Lisle Gloves \$1

Splendidly fashioned Mousquetaire Gloves, of pure lisle fabric, in tan and champagne shades; 12-button length. Special for one day only, \$1.00.

\$1.00 quality 12-button Gloves of superb white Milanese Silk. Gloves of finest material and excellent workmanship. 75c.

Fashionable Black Lisle Gloves, in full 12-button length, made with expert care and perfect fitting. 49c.

19c Embroideries 5 1/2c

Odd lots of Swiss and Cambric Edges and Insertions, accumulation in our 12 1/2c, 15c, and 19c stocks. Hundreds of exclusive novelties, all new and clean. We will clean up the lot tomorrow at the little price of, yard, 5 1/2c.

Dainty assortment of Swiss edges and insertions for trimming waists. Widths up to 8 ins.; values up to 25c. Yard. 15c.

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Special lot of high-grade all-over embroideries in finest Swiss or nainsook, showing baby patterns and the heavier styles. 75c value. 39c.

Bargain assortment of Val. laces with round or diamond mesh, containing qualities worth 30c and 50c; some matched. Doz. 25c.

Point de Paris laces worth up to 19c. Edges and insertions in all the favored widths and the most artistic patterns. Yd. 8 1/2c.

\$1.00 Back Combs, 25c

Beautiful assortment of novelty shell and amber combs. Some set with rhinestones and other decorative effects. 25c.

25c Wash Belts, 15c

Stylish wash belts of heavy white Galatea cloth, handsomely embroidered and finished with clear pearl buckles. Choice. 15c.

25c Embroidered Collars, 11c

A tremendous reduction for one day only. Women's pure linen laundered collars, embroidered in many artistic effects. Special 11c.

Wide Black Leather Belts, with 5-inch nickel or black metal buckles; nicely lined. 19c.

50c Satin Pad Hose Supporters, with four heavy straps of lisle elastic. All colors. 25c.

# 50c Sleeve Supporters, 25c

Reduced for one day to exactly half their value. Made of satin ribbon over finest elastic, trimmed with large ribbon bows. All colors, 25c.

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